

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

JEFFREY A. DAMON,	:	
	:	
Plaintiff	:	CIVIL ACTION NO. 3:19-979
	:	
v.	:	(JUDGE MANNION)
	:	
AERIAL LIGHTING AND ELECTRIC, INC.,	:	
	:	
Defendant		

ORDER

In light of the memorandum issued this same day, **IT IS HEREBY ORDERED THAT:**

- (1) The report and recommendation of Judge Mehalchick, [\(Doc. 13\)](#), is **ADOPTED IN ITS ENTIRETY**;
- (2) The plaintiff's second amended complaint, [\(Doc. 10\)](#), is **DISMISSED WITH PREJUDICE**, pursuant to [28 U.S.C. §1915\(e\)\(2\)\(B\)](#);
- (3) The plaintiff is **DENIED** leave to file a third amended complaint based on futility; and
- (4) The clerk of court is directed to **CLOSE** this case.

s/ Malachy E. Mannion

**MALACHY E. MANNION
United States District Judge**

DATE: May 12, 2020
19-979-01-ORDER